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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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<b>EDF RENEWABLE DEVELOPMENT, INC.</b>	: Docket Number: CV-13-3361
	: :
<b>Plaintiff,</b>	: <b>DECLARATION OF HARRIS N.</b>
	: <b>COGAN, ESQ. IN SUPPORT OF</b>
<b>v.</b>	: <b>MOTION FOR SUMMARY</b>
	: <b>JUDGMENT</b>
<b>COUNTY OF SUFFOLK,</b>	: :
	: :
<b>Defendant.</b>	: :
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HARRIS N. COGAN, ESQ., declares as follows:

1. I am a partner in the law firm Blank Rome LLP, attorneys for Plaintiff EDF Renewable Development, Inc. in this action.
2. I respectfully submit this declaration in support of Plaintiff's motion for summary judgment.
3. Attached as **Exhibit 1** are excerpts from the January 16, 2015 deposition of Lisa Broughton.
4. Attached as **Exhibit 2** are excerpts from the December 29, 2014 deposition of Michael Monaghan.

5. Attached as **Exhibit 3** are excerpts from the January 27, 2010 Power Purchase Agreement between the Long Island Power Authority (“LIPA”) and Eastern Long Island Solar Project, LLC.<sup>1</sup>

6. Attached as **Exhibit 4** is Resolution No. 28 – 2010 from the Suffolk County Legislature, dated February 4, 2010.

7. Attached as **Exhibit 5** is the Ronkonkoma Lease Agreement between Suffolk County and Eastern Long Island Solar Project, LLC.

8. Attached as **Exhibit 6** are excerpts from the Deer Park Lease Agreement between Suffolk County and Eastern Long Island Solar Project, LLC.

9. Attached as **Exhibit 7** are excerpts from the September 10, 2014 deposition of Gerard Nolan.

10. Attached as **Exhibit 8** are excerpts of the February 10, 2015 deposition of Llewellyn Johnson.

11. Attached as **Exhibit 9** are excerpts of the February 10, 2015 deposition of Robert Hardie.

12. Attached as **Exhibit 10** are excerpts of the February 23, 2015 deposition of Keith Feldmann.

13. Attached as **Exhibit 11** are the building permits issued for the Brentwood, Cohalan, H. Lee Dennison, North County, Riverhead, and Deer Park sites.

14. Attached as **Exhibit 12** are excerpts from the September 23, 2014 deposition of Lee Connor.

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<sup>1</sup> While all references herein are to EDF, EDF is used interchangeably for enXco Development Corporation and Eastern Long Island Solar Project, LLC (“Long Island Solar” or “ELISP”), EDF’s former subsidiary.

15. Attached as **Exhibit 13** is an October 20, 2011 Memorandum regarding CEQ Review and approval of the Proposed LIRR Ronkonkoma Station Parking Lot Expansion, Town of Islip.

16. Attached as **Exhibit 14** is a January 15, 2012 Draft Amendment to the Ronkonkoma Lease Agreement.

17. Attached as **Exhibit 15** is a December 5, 2011 email from Lisa Broughton to Michael Monaghan.

18. Attached as **Exhibit 16** is a January 31, 2012 email from Keith Feldman to James Peterman.

19. Attached as **Exhibit 17** is a February 1, 2012 email chain between Keith Feldmann, Robert Hardie and others.

20. Attached as **Exhibit 18** is a February 6, 2012, email chain between Keith Feldmann, Robert Hardie, and Lee Connor.

21. Attached as **Exhibit 19** is February 7, 2012 email chain between Keith Feldmann, Robert Hardie, and others.

22. Attached as **Exhibit 20** are excerpts of the September 12, 2014 deposition of Dennis Cohen.

23. Attached as **Exhibit 21** are excerpts of the February 5, 2015 deposition of Mark Lesko.

24. Attached as **Exhibit 22** is document entitled "Agenda for Steve Bellone Meeting."

25. Attached as **Exhibit 23** is a January 17, 2012 email from Stacey Epifane Sikes.

26. Attached as **Exhibit 24** are excerpts from the September 19, 2014 deposition of Vanessa Baird-Streeter.

27. Attached as **Exhibit 25** is a 01/25/2012 Email chain between Lisa Broughton, Dennis Cohen, James Peterman, et al. RE: Ronkonkoma Lease Agreement.

28. Attached as **Exhibit 26** is a 01/26/2012 email chain between Basia Braddish, Dennis Cohen, Lisa Broughton, et al. RE: Ronkonkoma Lease Amendment.

29. Attached as **Exhibit 27** is a 02/01/2012 email chain between James Peterman, Lisa Broughton, Dennis Cohen, et al. RE: “cancel enXco call tomorrow?”

30. Attached as **Exhibit 28** is a 02/01/2012 email chain between James Peterman, Dennis Cohen, Lisa Broughton, et al. RE: Ronkonkoma Early Construction Phasing for Duct Bank.

31. Attached as **Exhibit 29** is a 02/07/2012 email chain between Lisa Broughton, Dennis Cohen, Michael Monaghan, et al. RE: Riverhead cameras.

32. Attached as **Exhibit 30** is a February 14, 2012 document from Suffolk County entitled “Solar Carport Update” with handwritten notes.

33. Attached as **Exhibit 31** is a March 8, 2012 LIPA Solar Project Status Meeting Agenda.

34. Attached as **Exhibit 32** is a March 6, 2012 email from Gerard Nolan to Dennis Cohen and Alex Lazur.

35. Attached as **Exhibit 33** is a May 9, 2012 is an email chain between Michael Monaghan, Dennis Cohen, and Lee Connor.

36. Attached as **Exhibit 34** is a March 7, 2012 letter from Alex Lazur, counsel to EDF, to Dennis Cohen, Suffolk County Attorney.

37. Attached as **Exhibit 35** is a June 21, 2012 letter from Alex Lazur, counsel to EDF, to Dennis Cohen, Suffolk County Attorney.

38. Attached as **Exhibit 36** is a 02/29/2012 email chain between Vanessa Baird-Streeter, Steve Bellone, Dennis Cohen, and Regina Calcaterra.

39. Attached as **Exhibit 37** is a March 12, 2012 letter and draft building permit for the Ronkonkoma Long Island Railroad Station.

40. Attached as **Exhibit 38** is a 02/07/2012 email chain between Basia Braddish and Dennis Cohen.

41. Attached as **Exhibit 39** is a 02/06/2012 email from Vanessa Baird-Streeter to Dennis Cohen, James Peterman, et al. RE: enXco.

42. Attached as **Exhibit 40** is a 02/07/2012 email from Vanessa Baird-Streeter to Dennis Cohen.

43. Attached as **Exhibit 41** is a 03/26/2012 email from Vanessa Baird-Streeter to Steven Bellone and Dennis Cohen.

44. Attached as **Exhibit 42** are excerpts from the expert report of Maryellen Sebold.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
June 12, 2015

**BLANK ROME LLP**

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